

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

CASE NO. 8:00CV28

and

THE STATE OF NEBRASKA *ex rel.*
MICHAEL J. LINDER, Director
Nebraska Dept. of Environmental
Quality,

ORDER

Plaintiffs,

v.

IBP, Inc. (n/k/a Tyson Fresh Meats,
Inc.),

Defendant.

This matter is before the Court on the Joint Stipulation and Motion to Terminate Consent Decree (Filing No. 149).

The Court declines to retain jurisdiction to enforce the terms of the stipulation, absent the filing of a new proceeding. The stipulation and motion are otherwise approved.

IT IS ORDERED that the Joint Stipulation and Motion to Terminate Consent Decree (Filing No. 149) is granted in part and denied in part as follows:

1. The Court does not retain jurisdiction to enforce the terms of the stipulation, absent the filing of a new proceeding; and
2. Otherwise, the stipulation and motion (Filing No. 149) are approved.

DATED this 31st day of August, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge